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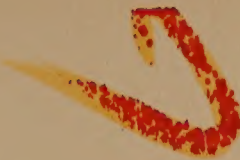
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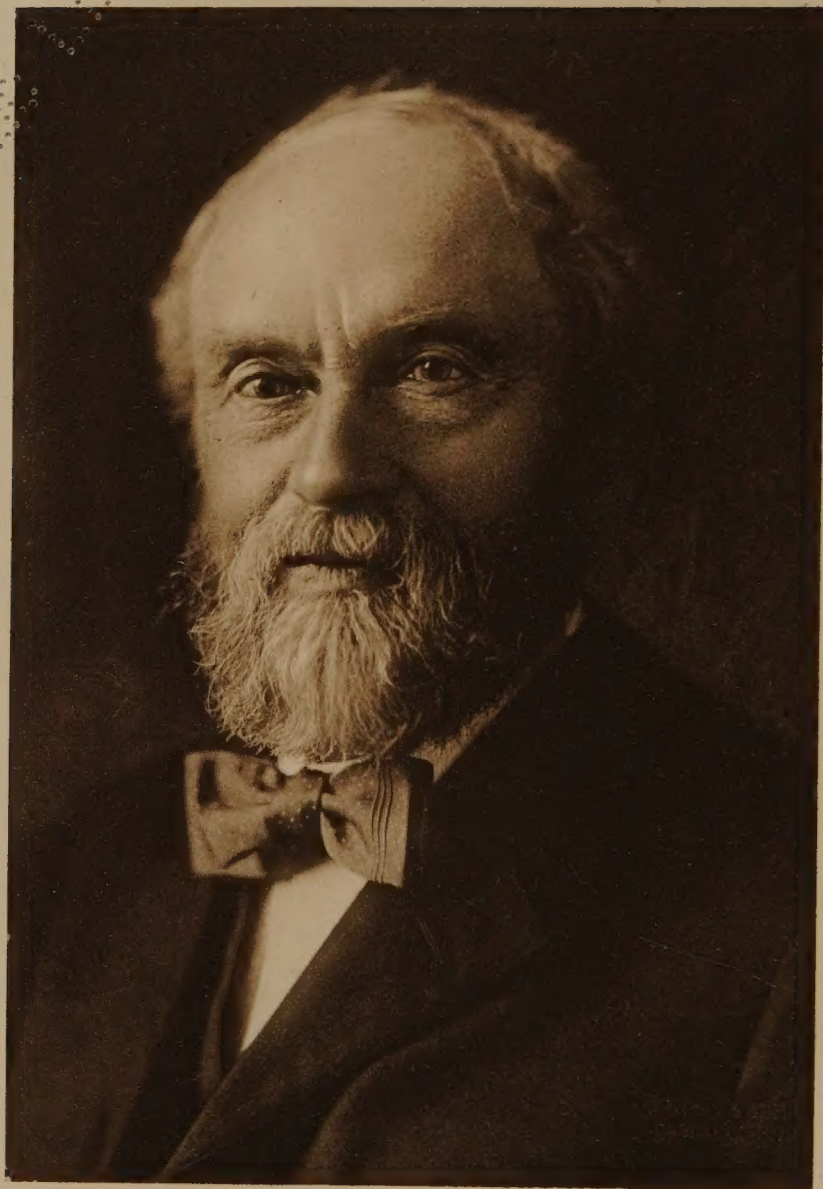


Records & Addresses  
in Memory of  
SIMEON E. BALDWIN











Records & Addresses  
in Memory of  
**SIMEON E. BALDWIN**  
1840-1927

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# Records & Addresses

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## The New Haven County Bar Association

*AT a special meeting of the New Haven County Bar Association in memory of Hon. SIMEON E. BALDWIN, the following minute and resolution were offered by a committee consisting of Judge John K. Beach, Mr. George D. Watrous and Mr. Henry H. Townshend:*

SIMEON EBEN BALDWIN, who was born February 5, 1840, and died January 30, 1927, came to this County Bar in 1863, and soon made his way into the front rank of a state bar distinguished for its learning and ability. Before he assumed the judicial office once held by his grandfather he had become, as Mr. Chief Justice Taft has said, one of the great lawyers of the nation. Though his practice was large and important, he overpaid his debt to the law by continuous public service. In 1869, aided by his brethren, Robinson and Platt, he rescued from extinction, revitalized and reorganized the Yale Law School, lifting it far toward its present emi-

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nence. In its service he labored long and with a success which made him known as one of the great legal educators of the older school. He put the Bar of this state under heavy and lasting obligation by the publication of *Baldwin's Digest*, which, with its necessary additions, is still the authoritative digest of Connecticut decisions. In 1873, he became a member of the Commission to Revise the Connecticut Statutes and was chief editor of the Revision of 1875. In 1878 he was one of the founders of the American Bar Association, a member of its executive committee until 1888, its president in 1890, and for twelve years director of its Bureau of Comparative Law. In 1877, he was appointed a member of the Commission for Simplifying Legal Procedure, and in form and substance our present Practice Act, as well as the first edition of our *Connecticut Practice Book*, was his work more than any others. In 1885, he drew the report for a better system of taxation, which finally resulted in his appointment as chairman of the commission which revised the state taxation system in 1915 to 1917. From 1893 to 1907, he was Associate Justice of the Supreme Court of Errors, and its Chief Justice from 1907 until 1910 when he reached the constitutional age limit. His opinions are marked for learning, legal acumen, literary finish, brevity, and clarity. In the meantime, he published two works on Railroad Law, a history of American Judiciary, and in connection with the Yale Bi-Centennial, the introduc-



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tion to, and several chapters of, *Two Centuries' Growth of American Law*, as well as numerous shorter contributions to legal history and literature. From 1911 to 1914, inclusive, he was Governor of Connecticut, and in that position added luster to his established legal reputation by his just appreciation of the best interests of the state and his capacity for practical statesmanship. His conception of civic duty was broad. For many years, he was Trustee of the Hopkins Grammar School, President of the New Haven Hospital, the New Haven Colony Historical Society, and of many local, national, and international learned societies. In these outlying fields, he labored with astonishing industry of research and authorship, and attained an international reputation for scholarship in comparative law, political and social science, philosophy, and local and Colonial history.

As commentator, educator, reformer, historian, and judge, no member of the Connecticut Bar has rendered greater service to the profession, to the public, and to the law; and to him the law was not a jealous mistress for none has attained wider recognition as author, scholar, and jurist.

RESOLVED: that the foregoing minute be adopted by this Bar in appreciation of the life and services of Simeon E. Baldwin; that it be entered on the records of this Court; and that a copy of this minute and resolution be forwarded to the members of Governor Baldwin's family.

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JUDGE BEACH *then spoke to the resolution:*

MR. PRESIDENT: The record outlined in this minute is far from complete, but it portrays a great lawyer, and a lawyer of an unusual type. With all of the qualities that attracted as clients men and corporations of large affairs, he combined a scholarship which went beyond mere learning; which, in his case, was supplemented by individual research in several fields. That combination connotes an intellectual equipment which few of our great American lawyers have possessed, and of those who had it, fewer still have been able to utilize it in full measure as Judge Baldwin did.

The record also shows him as a lawyer profoundly impressed with his obligation to the law and to the profession. It is necessary to refer only to the Yale Law School, to the American Bar Association, and to *Baldwin's Digest*, to indicate how richly he has repaid that obligation.

Again, the record shows him as a citizen, deeply conscious of his civic and public responsibilities. And here again, the obligation was more than repaid by his service to the state as Chief Justice and Governor; by his presidency of our local civic and philanthropic institutions, not in name alone, but in diligent supervision, advice, and assistance; and by his private philanthropy, though he would be the last to emphasize it.

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Finally, the record shows what I like to think of as his purely personal relaxation and leisure; the overflow of his abundant intellectual industry into those outlying fields of jurisprudence, social science, and history, which brought him into fellowship with kindred spirits in this country and abroad, and gave him international repute as scholar and author in other fields of science than the law.

Mr. President, words cannot add anything to such a record of intellect, character, and achievement. Yet I think that his life brought him one thing which he may have prized more than professional success and more than reputation for scholarship; namely, the esteem and confidence of the people of Connecticut. It must have been gratifying to him to follow his grandfather on the Supreme Bench, but still more gratifying it must have been to succeed his father as Governor of Connecticut. Because, although his works belied it, he had what I have heard him describe, upon an occasion like this, as "our hard New England exterior." And he said those words in a way which suggested a regretful consciousness that they were applicable to himself also. And so it may be that he took his election as proof of a popular esteem which he never courted and, perhaps until then, did not know that he possessed.

Governor Baldwin's love for and jealous pride in New Haven, and in Connecticut, were strongly expressed in his historical writings, and less openly so in some of his opinions. It



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was perhaps this loyalty, coupled with his firm belief in local and state self-government, which led him, on one occasion, to hold that the Federal Employers' Liability Act could not control the courts of Connecticut. I think that that was an adventure in protest against the rising tide of federal encroachment, for he was too sound a constitutional lawyer not to have foreseen the risk of the reversal, at least, which followed the appeal to the Supreme Court of the United States.

As lawyer and judge he was, of course, by inheritance and environment, conservative. But he was also a very practical man, and when the time was ripe he became the champion of our reformed and simplified legal procedure. Coming to the Supreme Bench directly from a close contact with large business affairs, he was sensible of the necessity of adapting the common law to human progress, and by his opinions and his influence upon the court he modified our law in that direction to a considerable degree.

In speaking of his sense of practical values, it is noteworthy that he dissented vigorously from the doctrine that our Supreme Court of Errors is, by virtue of its constitutional title, deprived of jurisdiction to correct errors of fact, as distinguished from errors of law, a distinction which will be continuously more and more difficult to maintain as time goes on.

It would be out of place for me to attempt any detailed estimate of his opinions, but a few characteristics may be

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noted. When it suited the occasion he could lay down the controlling principle of law with a finality of authority peculiarly his own. And if a different treatment was required, his scholarship also gave authority to his conclusions. His opinions were stated, almost always, objectively, impersonally, and without, therefore, the confusion which sometimes results from an unnecessary exhibition of the mental processes of the individual judge.

His mastery of English and his intellectual acumen enabled him to perform the difficult task of defining the limits of legal generalizations with exceptional accuracy. His literary talent gave to his opinions clarity of expression and distinction of style, and putting to one side his many decisions on the subject of the construction of wills,—because you cannot classify opinions of that kind,—I should say that the preëminent characteristics of his judicial style are clarity of thought and clarity of statement. There is never any doubt as to what his language means; as to what his premises of law and facts are; as to what were the points decided, nor as to the reasons for the decision. This clarity of thought and of statement, guided by his sound learning and practical wisdom, has rightly earned for him the title of a great judge. But he was great in other ways: as lawyer, as citizen, and as scholar. In all of these ways he has so enriched the traditions and reputation of this Bar,

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of New Haven, and of Connecticut, that their stars now shine with a brighter glory reflected from his life and work.

Mr. President, I move you the adoption of this Minute and Resolution.

*Mr. GEORGE D. WATROUS then said:*

**I**N seconding the resolutions which have been offered, I shall add a few words of my own; perfectly conscious of their inadequacy. After graduation from Yale College in 1861, and legal studies at both Yale and Harvard, Simeon E. Baldwin came to this Bar in 1863 under most favorable auspices. Among his ancestors were many men of legal distinction and of high political station. He was a great-grandson of Roger Sherman, a statesman of whom Connecticut has always been proud. His grandfather, Simeon Baldwin, held many important offices, and was a Justice of the Supreme Court of Errors. His father, Roger Sherman Baldwin, was a distinguished lawyer, Governor of this state, and a United States Senator. But Simeon E. Baldwin was not content with the laurels won by his ancestors. Possessing in a high degree ability, industry, ambition, and character, he set out to win his own. From the first he entered upon a successful practice of the law, which increased in importance until he went upon the Bench of the Supreme Court of Errors in 1893.

The death, in 1869, of the last of the professors of the Yale



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Law School left the school without a faculty, without means, and with but few students. The Yale Corporation, it is understood, was not in favor of a continuance of the school and desired that it be closed. But Mr. Baldwin, with the assistance of William C. Robinson and Johnson T. Platt, and with the cordial support of President Woolsey, offered to undertake to carry on the school. These three men were appointed instructors in 1869, and in 1872 they, with Mr. Francis Wayland, who had been chosen as Dean, were made Professors of Law. So began the long and honorable history of the newly organized school. It seems to be unquestioned that Professor Baldwin was the leading spirit in this undertaking, and so he continued to be. Dean Wayland often spoke of him as the "wheel horse of the Law School." The school at that time, and for some time to come, was a proprietary institution; receiving no support from the College, and relying on tuition fees for its expenses. This was indeed a venture upon which the three men entered!

Professor Baldwin served as treasurer of the school for many years. We maintain with pride, today, that the school is a better school of law now than it ever was before. There is perhaps no time since the trio took control when the same statement might not have been made, for its history is one of steady progress and development. In 1876, upon the initiative of Professor Baldwin, graduate courses leading to the degree

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of M.L. and D.C.L. were established; the first, it is understood, in any school of law. As time went on and as times and conditions changed, steps were taken toward increasing the standards required for admission to the school, and for graduation. With many of these, though not all, Professor Baldwin was in perfect sympathy; indeed the leader. When, however, a step was taken contrary to his views, he gave hearty support to the new order of things. When he lost, he was a good loser. He was never aggressive, and very frequently deferred gently to the opinions of others. For fifty years he taught unremittingly in the school and was often called the ablest among the many able instructors, and his own fame added luster to that of the school. Hundreds of former students could testify to the value of his teaching, and of his influence upon their lives. Not only did he do more than any other for the reëstablishment of the school, assume in part the financial responsibility for its support, give to it most able administrative and educational efforts, but he made many gifts to it in his lifetime, and made to it munificent bequests in his will.

I have said so much about the school because I think it was nearer to his heart than any other institution with which he was connected. He loved the school and he gave it such devotion as a parent might give to a child—even though at times it departed from those methods of teaching and ad-

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ministration which he firmly believed to be best. The debt of the Yale Law School to him can never be paid. It will be a perpetual obligation which the school will be proud to assume.

The State Bar Association of Connecticut, once very active, had languished for many years, possibly due to the greater interest at the time in the newly founded American Bar Association. To Professor Baldwin this seemed very unfortunate, and he, by very active efforts, succeeded in arousing a new interest in the Association and caused it to be reorganized in 1908. Its present vital and vigorous condition is due very largely to his work. This is but another instance in which he revitalized an institution which was languishing.

It would be quite out of the question to attempt to recount here and now all of the services which Governor Baldwin rendered to his profession and to mankind. When his life is written, as I hope and have some reason to believe it may be, then these things will be told, though others are locked up in his diaries and cannot be told until they are opened fifty years hence.

Governor Baldwin wrote a most interesting life of his grandfather Simeon Baldwin. Perhaps one of his descendants may render a like service for him.

In the few words which I shall add I hope I may be pardoned if, to some extent, and perhaps to a considerable extent,

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they are of a personal nature. It would be presumptuous upon my part to call Governor Baldwin an intimate friend, but I have been thrown into many intimate relations with him, and am grateful to him for many a kindness. He was so different a man from what a stranger or a slight acquaintance might naturally think him to be, that I should like to have our younger members of the Bar, who knew him only by name, know what manner of man he was, in so far as it may be in my power to tell them.

Governor Baldwin was more than merely a good and able and learned man. He was a personage. He was the foremost citizen of Connecticut—universally acknowledged so to be. In many parts of the world New Haven is best known as the home of Professor Baldwin. To enumerate all of his good qualities as a man and a citizen would be as difficult as to enumerate all of his achievements during a long, and, as he himself has characterized it, a laborious life. That his air and manner at times appeared cold and formal must be conceded, but this outer manner did not at all accord with his inner nature. This reserve, coming down from his New England ancestors, and its effect upon others, he himself well knew and regretted. Judge Beach has called attention to the instance, which was also in my mind, when Governor Baldwin, in words spoken of another, seemed to reflect his own feelings. He was kindly and considerate of others, and extremely gen-



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erous. He gave liberally to any cause which appealed to him, and to many which did not, when he did not actually disapprove of them.

Without doubt his appreciation of the value of time, and how to utilize it, was an important factor in enabling him to accomplish so much. This does not mean that his whole time was given to work; he realized the need of exercise and recreation, and gave a measured portion of his time to each. He was always punctual, and expected punctuality of others. He was very hospitable, and entertained at his house frequently and handsomely. He was fond of social life and rarely failed to accept an invitation to a social function. Nor was he without a keen appreciation of humor. He enjoyed a good joke or a good story, and he told many a one himself. Like many other men, he was both progressive and conservative. Many legal and social reforms were initiated and led by him, but he rarely favored a change merely for the sake of change, nor unless he could see a probability of betterment. As an instance of his progressive side, he was at one time much interested in aviation, and foresaw the many state, national, and international problems which were likely to arise from aviation as it was then developing. I have a memory of hearing him read a paper on aviation on an occasion when James Bryce was present and took an active part in the discussion. I have been told, although it may not be so, that the Airship Law of Connecticut,

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passed in 1911, when he was Governor, was either drafted or suggested by him. That may not be so, but at least he was very much interested in it and much favored the action which was taken. This is believed to be one of the very first acts of this nature in the country.

He was fond of historical research and had an extraordinary faculty for discovering facts and incidents which had escaped the notice of others. His last great work was the writing of the first volume of Colonel Osborn's *History of Connecticut*, under the title of "The Colonial Period," which, most fortunately, he was able to finish. In it will be found many things of great interest not accessible elsewhere. But with all his learning, he was no pedant. He bore his many honors modestly and with quiet dignity. He was a man of strong religious convictions, although tolerant of the opinions and frailties of others. Truth and justice were very dear to him, and his life and character were beyond reproach. A remarkable man has passed from among us—remarkable not only for his achievements, but for his uncompromising rectitude. The state has lost its foremost citizen, and many have lost a friend whom they revered and held in high and affectionate regard.

Mr. President, I second the resolutions presented by Judge Beach.

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*Mr. HENRY H. TOWNSHEND also spoke to the Resolution, which was then unanimously adopted:*

**M**R. PRESIDENT: I cannot remember the time when I did not know Governor Baldwin. There were many points of contact between our respective families, and there were many opportunities for friendship. May I add a few words to what Judge Beach and Mr. Watrous have already uttered of Governor Baldwin's intellectual attainments. To one of Governor Baldwin's intellectual attainment and New England upbringing, the three major functions of our social life—government (including jurisprudence and the law), education, and religion—were of the utmost importance. His entire life was spent in an almost sacred devotion to all three of these, and any one of them may be taken as a point of departure for paying tribute to his memory.

Your recollections have already been refreshed as to his achievements as an educator and an expounder of the law. May I speak of him from the other standpoints.

We think of him as austere, as bringing into these latter days something of the sternness and rigidity of the Puritan. If he gave this impression, it was not a true portrayal of his innermost thoughts and feelings. In spoken and written words he has disclosed himself as the most tolerant, the most sympathetic, and the most kindly of men. He has expressed these

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sentiments: "Morals have no sure and solid foundation in a community where public sentiment regards as a breach of morality the temperate statement of an opinion on any matter of intellectual belief which differs from that generally prevailing." And this further statement, "That man works best who renders free and willing service to one toward whom his feelings are those of love and confidence." No words of Governor Baldwin were idle or hypocritical; these were his true sentiments.

In religious matters he protested against the hard and formal side of our old New England morality, and while devoted to Congregationalism, because in it he saw the historic seeds of our religious and political liberty, he believed that "the letter killeth, but the spirit giveth life," and he quarreled with no man's creed. He disapproved of the sternness of Puritan theology, but he appreciated and practiced the strong sense of personal duty which it imposed.

We who sat with him on the Board of Trustees of the Hopkins Grammar School, or as Directors of the New Haven Colony Historical Society, saw many evidences of this spirit. Viewing the problems that arose unemotionally, and with the utmost common sense, he approached them with sympathy, and always helped us solve them with a generosity that was more than mere words. While always having an opinion on every subject,—and it was generally a conservative one,—he



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invariably abided by the decision of the majority without rancor and without resentment.

The same high sense of personal duty and rigid adherence to the basic principles of government, in which he was so well versed, characterized his terms as Governor. He did nearly everything that a politician would not do, and he succeeded. He took his position and his duties seriously, not as a playground for political comradery. He scrutinized legislation from the judicial, not from the political, point of view. He considered every state expenditure as the execution of a sacred trust, not as an expediency. He viewed the slightest slip from legislative propriety from the standpoint of his governor ancestors, not from the easier morality of to-day. He practiced and demanded simplicity in public functions, not pageantry. He had the character and the courage to stand for what was fundamentally right, and it won for him, as it will for any man, the admiration and votes of the people. It is governors like this who have made Connecticut famous.

Governor Baldwin's triumph was the triumph of intellect and the triumph of character—the veritable foundations of that subtle thing called personality—and I think it will be by his personality that he will be best remembered.

He was all that Rufus Choate said that a judge should be; he was profoundly learned in all the learning of the law, and he knew how to use that learning. He was a man “not merely

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upright and merely honest and well intentioned, but a man who would not respect persons in his judgments, and in this he possessed the perfect confidence of the community." Related as our family was to Governor Baldwin, he was often the subject of discussion, and I can well remember hearing my father say that if he were guilty of a crime he would not want Judge Baldwin as judge—a very high tribute to his impartiality and to his integrity.

Governor Baldwin has gone, in the fulness of his years, but he has left behind, as a lasting memorial to this Bar and this state, an example of character, of integrity, of learning, and of unswerving devotion to duty that will be an inspiration for all succeeding generations.

*From the Resolution adopted by*

The General Assembly of the State of Connecticut:

**R**ESOLVED, that as representatives of the people of this state we feel it to be our duty as well as our privilege to place upon permanent record a token of the debt owed by it and them to Governor Baldwin.

We may not here enumerate the broad sweep of his activities. He served the city in which he made his lifelong home; he served his church, holding high place in its councils, state and national; he served youth, teaching it in his classrooms not knowledge alone, but an appreciation of the dignity of a life well lived; he served his chosen profession of the law, at home, in the nation, and abroad, always seeking for it the way to a higher and better usefulness; he served the cause of learning by his writings and addresses; all these he served. But the services which we this day commemorate are those he rendered to this the well-loved state of his birth, his life, and his death.

For seventeen years a Justice of its highest court, and for three its Chief Justice, he brought to bear upon the problems presented to it for solution not only great learning, but deep insight and far vision, unfaltering courage and an impar-

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tiality so unhesitating and apparent that no man ever thought to question it.

After his retirement from the bench upon reaching the age of seventy, he was twice elected Governor, and in that high office he proved again his strength and his courage, he showed again his wise statesmanship, and made plain again that his sole end and aim in holding public office was to preserve to the people of this state the rich heritage of independence of thought and opportunity for noble living that has come to them from of old, and to promote in all things their well-being.

Connecticut mourns today the man who has served it so long, so faithfully, and so well. It mourns the loss which has come to it in the death of one who always and everywhere so finely represented its best traditions and highest ideals. But deeper still pierces its sense of loss that now has gone from it one who loved it so deeply, and made clear that love by laying upon its altars the offering of a lifelong perfection of citizenship.



Chief Justice George W. Wheeler of the  
Connecticut Supreme Court

*[For the Associated Press]*

JUDGE BALDWIN lived his long life, filled to the measure with great and enduring professional and public work; to the very end this happy warrior could look back upon a long past, and beyond the present, and find his faith undimmed in the things which had seemed good and true to him throughout his life, and find his belief in the integrity of the law and its administration secure, and his faith in our government, and in our people unshaken. If others doubted the ultimate triumph of the good, he did not. This abiding faith was the happiness of his life.

I may not recount or dwell upon the countless activities of his life. Certainly there has been no man who has lived among us for the past half century comparable to him in national and international repute, or in achieving work. He was beyond question the greatest man Connecticut has produced in that time. He was among the foremost lawyers of the state and nation; his seventeen years of service as a Justice and Chief Justice of our state in a court, perhaps never excelled in ability and accomplishment among us, stamped him as a jurist who possessed not only a very wide knowledge and understanding

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of the law, but the qualities of good judgment, sound sense, fairness, and impartiality of view, which never sacrificed the public for the private interest, and a steadiness of purpose and courage which never deviated from the course his conviction and conscience pointed out. His service as Governor for four years demonstrated his capacity for the statesman's place; he was meticulous in carrying on the work of the state and there was a wholesomeness, a dignity, and a capacity about his service that made us proud of Connecticut, when, wherever we went throughout the Union, we were certain to hear inquiry from men of highest place of Governor Baldwin. His was not an advertised repute. He it was who originated and largely carried through the revival of the Yale Law School and for many years gave to it its greatest prestige through the classes he taught, and turned back to its drooping treasury the salary he had earned. Judge Baldwin has achieved high eminence in many fields, but his old pupils regard his work as a teacher and lecturer in the classroom, as more distinctive and weightier in influence upon human life than any other portion of his work. Probably in his day not a half dozen teachers of the law in our country could be placed in his class. He was a great teacher, as Theodore Dwight was, and as long as the pupils of either remain among us neither of these great teachers will be forgotten. In my day at Yale in the Academic department and in the Yale Law School, there were two

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teachers who have influenced most my life, my work, and my thought—William Graham Sumner and Simeon E. Baldwin. No doubt there have been many throughout our land who could speak a like truth.

Judge Baldwin must have known this; we who were so overwhelmingly in his debt in Connecticut never had but one real chance to show our reverence and affection for our old teacher. That was in 1893, when an unhappy misunderstanding of him led to opposition to his appointment to the Supreme Court of Errors. The success of that movement would have been an incalculable shame to Connecticut. It did not come to pass, very largely because the old pupils of Judge Baldwin in every part of Connecticut rallied to that fight, and Judge Baldwin came to know that it was not mere admiration which bound him to us but a most affectionate regard. Leading lawyers are not apt to be distinguished scholars, and distinguished scholars are quite apt to lack those qualities of sound sense and judgment which leading lawyers must possess. Judge Baldwin won distinction in the practice of the law, on the bench, in high executive place, but also in many scholastic paths, in history, in social science, education, ethics, and religion. He was the author of books, and a publicist on as great a variety of subjects as anyone I can recall in my lifetime. All this he managed to do while carrying on his regular pursuits. His intellect was strong and ready, his memory of

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the best, his knowledge seemed to be card-indexed in his mind, always at his instant disposal, his capacity for sustained work was marvelous, and his power of concentration absolute. His will power held his intellect in subjection, and, in season and out, it did his bidding.

I have heard the Justices who served with him in his Supreme Court say that Judge Baldwin would sit at the table, while they talked, and write important opinions and orders, and as soon as he had finished a first draft, read it to them, and they would approve it without a correction.

When an international society met in Paris Judge Baldwin was its president. Delegates were there from all over the world. When he returned, I asked him in what language the proceedings were conducted, he answered, "French." I said, "Did you preside, put the motions, make the necessary speeches over the period the conference lasted in French?" This modest man replied, "Why, yes, Wheeler, I had no trouble with it."

We who are lawyers cannot begin to estimate the influence Judge Baldwin has had upon our profession. He was foremost in everything connected with the advancement of the profession of the law. He helped organize the American Bar Association, did for years much of its most important work, was its president, and chairman of its most important committees. His example stood out in our profession an unspeaking



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yet an ever present and inspiring influence. Once he said something like this, "The soul of the law is not force but right." And he wrote, "There is nothing higher or better open to human effort than the administration of justice and right between man and man and between man and the State." The great ideal of the lawyer should be to do his part "in making justice in common things known and constant." This, said he, he cannot achieve "without a high sense of the rights of man as man, without a sincere reverence for the institutions of human justice, without patience, self-forgetful, chivalric devotion to his clients' cause."

These things he believed, lived, and taught. In every relation of life he was true to highest ideals. He was a good and a generous citizen, a staunch and tolerant friend. His family life was a very beautiful example. As a man he was just and kindly, true to his convictions, unbending in duty, lending a hand always, looking up and not down, forward and not backward. He wore a cold exterior, yet it enclosed a warm heart. His religion was a liberal one, his faith of the unfaltering kind. When I saw him last, months ago, he had just had read to him some of the inspired words of Saint Paul. Yes, Judge Baldwin was a great man, he was more, he was a good man.

## The Hopkins Grammar School

[*Minute from the Committee of Trustees:*]

SINCE the opening of the new year this board has suffered the loss by death of its senior member, Simeon Eben Baldwin. A recognized leader of the legal profession for more than half a century, a teacher of law, a prolific author on historical as well as legal subjects, a Justice of the Supreme Court of Connecticut for seventeen years, Chief Justice for three, and Governor of the state for two consecutive terms after his retirement from the bench, he may well be characterized, in the words of a discriminating writer, as Connecticut's "first citizen." It would be superfluous for this body to rehearse his public services, but it is gratifying to be able to enter upon our records his relations to the Hopkins Grammar School.

Graduating from the school in 1857, and from Yale College in 1861, he was elected a trustee in November, 1869, and served in that capacity until his death, January 30, 1927, a period of nearly fifty-eight years. He was president of the Board from 1900 until June 30, 1926, when he felt obliged to resign on account of failing health. His interest in, and generosity toward, the school were constant and unstinted. He gave \$1,500 to endow the Baldwin prizes many years ago, and during the past three years had founded the Theophilus

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Eaton Scholarship by a gift of \$10,000, and the John Davenport Scholarship by a gift of \$5,000.

When, in 1921, it was decided by the trustees to raise a fund for the rehabilitation of the school, Governor Baldwin, though originally favoring a more conservative course, promptly set the pace for his fellow trustees by subscribing \$10,000, and subsequently added \$5,000 anonymously. Only since his death have the trustees learned that the anonymous gift of \$100,000 which came to us in 1924, and without which it would have been impossible to carry on the school during the past two years, was due to his generosity. The form of this gift was so characteristic of the donor that it should be recorded. In November of that year he handed our treasurer an endorsed note for \$100,000 secured by mortgage on a piece of property which he had recently sold, stating that it was "from a 'friend' who prefers to act anonymously." Simplicity and directness of method, self-effacing generosity of spirit, were the attributes which his friends will ever associate with his memory, and since his death we have learned that, in addition to a specific bequest of \$5,000, he has left by will to the Hopkins Grammar School one eighth of his residuary estate.

In view of this long and fruitful record

*Be it Resolved:* That as a tribute to the sterling character, high ideals, and intellectual eminence of our late colleague,

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and as an inadequate expression of the debt which the school owes to the generosity of our most munificent benefactor, our present schoolhouse at Edgewood be henceforth designated as "Baldwin Hall";

That a copy of this minute be sent to the members of his family, with an expression of our sympathy in their loss and of our appreciation of what Governor Baldwin has been to this ancient institution.



## From the Obituary Record of Yale Graduates

FATHER, Roger Sherman Baldwin (B.A. 1811, LL.D. Trinity 1844, Yale 1845); governor of Connecticut 1844-46; *ex-officio* Fellow of Yale; U. S. senator 1847-1851; son of Simeon Baldwin (B.A. 1781), member of Congress and judge of Superior and Supreme Courts of Connecticut, and Rebecca (Sherman) Baldwin; grandson of Roger Sherman (honorary M.A. 1768), a signer of the Declaration of Independence and fifth treasurer of Yale; descendant of John Baldwin, who came from England to Milford, Conn., about 1636, settled in Guilford, Conn., 1640, and moved to Norwich, Conn., 1660. Mother, Emily (Perkins) Baldwin; daughter of Enoch Perkins (B.A. 1781) and Anna (Pitkin) Perkins; granddaughter of the Rev. Timothy Pitkin (B.A. 1747), a Fellow of Yale 1777-1804; great-granddaughter of Governor William Pitkin of Connecticut and of Thomas Clap, the fifth president of Yale; descendant of Governor Thomas Dudley of Massachusetts, Governor George Wyllys of Connecticut, Governor John Haynes of Massachusetts (first governor of Connecticut), and Governor William Bradford of Massachusetts. Yale relatives include: Ebenezer Baldwin (B.A. 1808), Thomas C. Perkins (B.A. 1818), and George W. Perkins (B.A. 1824) (uncles);

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Dwight Foster, '48, and William D. Whitney (honorary M.A. 1867) (brothers-in-law); Roger Foster and Edward B. Whitney, both '78, Burnside Foster, '82, and Reginald Foster, '84 (nephews); Marian P. Whitney (Ph.D. 1901) (niece); Henry C. Thacher, '02, Thomas A. Thacher, '08, William D. Whitney, '20, Lawrence and Roger S. Foster, both '21, Reginald Foster, Jr., '22, Maxwell E. Foster, '23, Simon N. Whitney, '24, and Hassler and Roger S. Whitney, both '28 (grandnephews); and Frederick B. Perkins, '50, Henry deF. Baldwin, '85, Roger S. Baldwin, '95, DeForest Baldwin, '99, Simeon Baldwin, '08, and Sherman Baldwin, '19 (cousins).

Hopkins Grammar School. Berkeley Premium in Latin composition Freshman year; two first prizes in English composition; Townsend Premium; philosophical oration Junior year; salutatorian; an editor of *University Quarterly*; member Cymothoe Boat Club, Baseball Club, Brothers in Unity (first prize in its Sophomore debate), Alpha Sigma Phi, Psi Upsilon, Skull and Bones, and Phi Beta Kappa.

Studied law at Yale 1861-62 and at Harvard and in his father's office 1862-63; admitted to the bar September 4, 1863, and had since practiced law in New Haven; had been connected with Yale School of Law since 1869 (instructor 1869-1872, professor of constitutional law, corporations, and wills 1872-1900, mercantile law 1872-1896, American con-

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stitutional law and private international law 1900-1912, law 1912-19, and emeritus since 1919); associate justice of Connecticut Supreme Court of Errors 1893-1907 and then chief justice until 1910; unsuccessful candidate for state senator on Republican ticket 1867; in 1884 joined the group of independent Republicans (which included his friend Moorfield Storey of Boston) who declined to support Blaine and did much to elect Cleveland and after 1884 was a member of the Democratic Party; elected governor of Connecticut on Democratic ticket 1911 and reëlected 1913; *ex-officio* Fellow of Yale; in 1912 received votes of Connecticut and Vermont for president of the United States in Democratic National Convention; unsuccessful candidate of Democratic Party for U. S. senator 1914; member of commissions to revise educational laws of Connecticut 1872, to revise all state statutes 1873, to simplify legal procedure 1878 (the work of which resulted in the adoption of a practice act, which has been in use with slight modifications since 1879), and to revise Connecticut Statutes 1875; member of commission to report to General Assembly on methods of taxation and drew the report for a better system 1885; chairman of commission to revise the taxation system 1915-17; one of the chief founders of American Bar Association in 1878, serving as chairman of its committee on jurisprudence and law reform in 1885, as president 1890-91, as member of its executive committee at vari-

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ous times, and as director of its Bureau of Comparative Law since 1907; elected life member of the association 1926; president of International Law Association 1900, Association of American Law Schools 1902-03, American Society for the Judicial Settlement of International Disputes 1911-12, American Social Science Association 1897-99, American Political Science Association 1910 (vice-president 1903), American Historical Association 1906 (vice-president 1904 and 1905 and member of its National Advisory Committee to raise an endowment fund of \$1,000,000 in 1926), National Institute of Arts and Letters 1905, Connecticut Academy of Arts and Sciences 1905-1915, Connecticut Society of the Archaeological Institute of America in 1899, New Haven Colony Historical Society 1884-1896 (made a director in 1867 and was vice-president in 1883), board of trustees of Hopkins Grammar School 1900-1926, New Haven Y. M. C. A. 1884, State Democratic Club of Connecticut 1891-93, and Monticello Club of New Haven 1871-1893; vice-president Archaeological Institute of America 1898, Paris *Commission permanente du Congrès International de l'Enseignement Social* 1900, General Hospital Society of Connecticut 1908-1923 (director 1866-1923), and New Haven Public Parks Commission 1921-23 (permanent member of commission 1880-1923); member New Haven Common Council 1867; general counsel for Boston & New York Air Line Rail-



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road 1875-1893, director 1879-1894, and managing trustee of trust fund 1883-1896; counsel for Housatonic Railroad for a time; moderator of General Conference of Congregational Churches of Connecticut 1881 and delegate of Congregational churches of Connecticut to the National Council 1883; president of New Haven Congregational Club 1886; a corporator and director of Missionary Society of Connecticut and the Fund for Ministers 1899-1921 (vice-president for several years); member executive committee of Religious Educational Federation of New Haven; delegate by appointment of State Department to International Prison Congress at Brussels 1900 and at Budapest 1905 (sectional vice-president); delegate to Universal Congress of Lawyers and Jurists in connection with St. Louis Exposition 1904 (vice-president for United States); strong advocate of League of Nations and the World Court and appointed to World Court Committee of New Haven 1925; elected an associate of *Institut de Droit International* (Paris) 1921; delivered the Southworth lectures at Andover Theological Seminary 1906, was Dodge lecturer at Yale 1911-12, and had lectured on wills at Howard University for a number of years from 1895, and on American law at Vassar 1917; delivered commemorative address in honor of President Woolsey at dedication of Woolsey Hall and the Newberry Organ 1903 and address at the unveiling of the Memorial to Yale Men who died in the Civil

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War 1915; one of the speakers, representing the fifty American guests, at entertainment by judges and lawyers of England in Middle Temple Hall, London, July, 1901; LL.D. Harvard 1891, Columbia 1911, Wesleyan 1912, and Yale 1916; author: *Baldwin's Connecticut Digest* (1871) (second volume 1882, revised edition under editorship of George E. Beers, '89 L., 1900), *Revised Statutes of Connecticut* (co-author) (1875), *Connecticut Practice Book* (co-author) (1879), *Baldwin's Cases on Railroad Law* (1896), *Modern Political Institutions* (1898), *Two Centuries' Growth of American Law* (co-author) (1901), *American Railroad Law* (1904), *American Judiciary* (1905), *The Relation of Education to Citizenship* (1912), *Life and Letters of Simeon Baldwin* (1919), *The Young Man and the Law* (1920), and *Osborn's History of Connecticut* (co-author) (1925); also of *A Discussion of the Present Inequalities of Representation in the General Assembly of Connecticut*, published by New Haven County Constitutional Reform Association (1873), a pamphlet edition of the Constitution of the United States, with notes (for use of Yale Law School) (1875), *Tracts for the Times*, No. 1, published by State Democratic Club of Connecticut (1890), and a *Brief Submitted for the Defense in the Andover Case* (1890); contributed the definitions of jurisprudence in *Dictionary of Philosophy* (printed at Oxford 1902), the articles on United States Law in *Encyclo-*

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*pedia Britannica*, and articles to *Columbia Jurist*, *Yale Law Journal*, *Yale Review*, *Harvard Law Review*, *The Green Bag*, *American Law Register*, *Law Quarterly Review*, London, *Revue de Droit Public*, Paris, *Rivista Internazionale*, Rome, *Medico-Legal Journal*, *Journal of Social Science*, *Journal of American Social Science Association*, *American Historical Review*, *New Englander*, *International Monthly*, *Congregationalist*, *Independent*, *Outlook*, *Transactions of American Bar Association*, and *Transactions of New Haven Colony Historical Society*; about 1888 purchased, with Clarence Deming, '72, and Professor Henry W. Farnam, '74, the *New Haven Morning News* and edited it until 1894, during the last two or three years being sole owner of the paper; member American Philosophical Society, American Antiquarian Society, National Academy of Arts and Letters, New Haven Civil Service Reform Association, and United Church (Congregational), New Haven; corresponding member Massachusetts Historical Society, Colonial Society of Massachusetts, and *L'Institut de Droit Compare* of Brussels; Fellow of American Association for the Advancement of Science (sectional vice-president); corporate member American Board.

Married October 19, 1865, in Boston, Mass., Susan, daughter of Edmund and Harriette (Mears) Winchester. Children: Florence Winchester (born 1868; died 1872);

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Roger Sherman (B.A. 1890, LL.B. 1893, LL.M. 1894); and Helen Harriet, who married Warren Randall Gilman (B.A. Harvard 1884, M.D. 1888; died 1920).

Death due to Parkinson's disease, followed by bronchial pneumonia; had been ill for over two years and confined to the house for about a month. Buried in Grove Street Cemetery, New Haven. Survived by wife, son, one daughter, two grandchildren, Charlotte W. Gilman Penfield (Mrs. Paul Livingston Penfield) (B.A. Radcliffe 1920, M.A. Yale 1921) and Bradley B. Gilman, '25, one great-grandchild, and a brother, George W. Baldwin, '53. His eldest brother, Edward L. Baldwin, '42, died in 1848, and another brother, Roger S. Baldwin, '47, in 1856. In 1926 was the donor to Yale of a collection of South Arabian antiquities, and by the terms of his will the following bequests were made to the University: \$50,000 as a permanent endowment for a professorship of Roman law, a sum sufficient to increase a fund previously given for the endowment of a professorship to \$125,000, and one half of his remaining estate after specific legacies are carried out in trust for the benefit of the Yale School of Law; also gave one fourth of the residue to the United Church of New Haven, one eighth to the Hopkins Grammar School, and one eighth to the city of New Haven to be expended for park purposes.



## Address of The Rev. Richard H. Clapp

At the funeral service at the United Church

**T**HOSE of us who live in hilly or mountainous country know that a great mountain has two distinctive aspects. Sometimes it seems near, familiar, and friendly. We have walked about it, we may have climbed it, and we feel that it is part of the landscape that we would least willingly lose, overshadowing, guarding, and protecting. Again it seems inconceivably remote, lofty, and austere, its summit high and far where the winds sweep and the tempests roar, and perhaps on some late afternoon we have seen it in its far-distant, massive splendor, shouldering out the sky against the glory of a golden sunset. Such is a great man, near and familiar to us in our everyday walk and conversation. He is one of us. We meet him and talk with him. We think we know him. We feel that the community is a safer and better and finer place because of his familiar and gracious presence. Yet sometimes we see him far and distant and lonely in his own peculiar characteristics of greatness against the twilight glow of the evening sky.

Judge Baldwin came of a great tradition and added luster to it. He was of those seers and saints, warriors and jurists and statesmen who held the highest ideal of an earthly common-

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wealth that has ever lured the imagination and mind of man, the Puritan vision of a City of God on earth, of a Kingdom of God in all the ways of men. By his heredity and instinct and choice he made the vision his own and it commanded him from the dawn of his young manhood to the last day of his life. That high, austere tradition meant for him an utter integrity of heart and mind, conscience and will that would have nothing but the fact and the truth, no matter what it might cost, no matter where it might lead, no matter what loyalty it might demand and what service it might require. He was a man to whom truth and fact, loyalty and integrity were the very fabric of life. Every piece of work he did, whether small or great, must be thoroughly well done. Any slipshod work, any evasion of fact, any carelessness in dealing with material, any weariness even that might withhold him from putting forth his best was regarded as a direct temptation from the spirit of falsehood. So there follows the record of an astonishing amount of work in many fields done as well as a great man of utter integrity could do it. He loved justice and sought it, knowing that truth and justice are sources of the light that lightens our way to a better society. He understood the significance of law and the great body of law and custom and tradition that makes order and continuity and constructive progress possible. He knew what a treasure was there. He would have justice done for the humblest and the

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greatest, no matter what the cost or how long the effort: He knew the law of growth and the changes which come with changing conditions, for his mind was always reaching out into the future and anticipating things that are to be. Such a man, living much on the heights, familiar with the great spirits of antiquity and more recent times, thinking high thoughts, scorning delights, and living laborious days, is not so fitted to the informal, easy ways of our time but that he may seem austere and somewhat aloof, and yet under this stern Puritan reserve was a heart of understanding, kind and tender, a man whom his students revered and held in affection, whose loyalty to his friends was unforgetting and entire, and who found loyalty and friendship reciprocated, a man who brought all the resources of a noble mind and tender heart to the most intimate human relations and revealed them in all the service, sacrifice, and gracious ministry of many and many years.

He became what he was because he lived constantly in the mood of high religious conviction. He believed in God and the human soul. He believed that men and societies come to their best when they try to find God's ways in righteousness and truth, when they try to live a life in God. He did his day's work, served his generation, this community, this state, the nation, and the world of lofty thought and noble endeavor as one obedient to a divine vocation, called to live as a child of

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the living God. And then as the days wore on and sunset came near, the powers and prophetic significances of his life reached out in living faith to anticipate "those great offices which suit the full-grown energies of heaven." With the great character of the immortal allegorist, we see him come to the mystic stream that lies athwart the path of life.

"After this it was noised abroad that Mr. Valiant-for-Truth was taken with a summons, and had this for a token, 'That his pitcher was broken at the fountain.' When he understood it, he called his friends and told them of it. Then said he, 'I am going to my Father's; and though with great difficulty I got hither, yet now I do not repent me of all the trouble I have been at to arrive where I am. My sword I give to him who shall succeed me in my Pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battles who will now be my rewarder.' When the day that he must go hence was come, many accompanied him to the river-side into which as he went he said, 'Death, where is thy sting?' And as he went down deeper he said, 'Grave, where is thy victory?' So he passed over, and all the trumpets sounded for him on the other side."



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